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ATTORNEYS FOR Debtor

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA

In re:)	Case No. 13-53491
272 E SANTA CLARA GROCERY, LLC,)	CHAPTER 11
Debtor.)	EVIDENTIARY OBJECTIONS TO
)	DECLARATION OF RANDY L.
)	ZUCKERMAN RE: AMENDED
)	OBJECTION TO PROOF OF CLAIM
)	OF BOSTON PRIVATE BANK &
)	TRUST COMPANY (Claim No. 2)

COMES NOW, Debtor 272 E SANTA CLARA GROCERY, LLC ("Debtor") and submits the following objections to the RANDY L. ZUCKERMAN (Docket#106-8) as follows:

I. Declaration of Randy L. Zuckerman.

Portion of Declaration Objected to	Objection
Paragraph 1, page 2, lines 8-12	Lack of personal knowledge, speculation, and lack of foundation, FRE 602 and Taylor v. List (9 th Cir. 1989) 880 F.2d 1040, 1045, and hearsay, FRE 801, 802.
Paragraph 2, lines 14-16	Improper factual conclusions and opinion testimony, FRE 701; see Turner v. Lundquist, 377 F.2d 44, 48 (9 th Cir. 1967); DePinto v. Provident Security Life Ins. Co., 374 F.2d 50, 55 (9 th Cir. 1967); and irrelevant, FRE 401-403.

1 Paragraph 4, page 2, line 17-page 3, line 2

Lack of personal knowledge, speculation, and lack of foundation, FRE 602 and Taylor v. List (9th Cir. 1989) 880 F.2d 1040, 1045; improper factual conclusions and opinion testimony, FRE 701; see Turner v. Lundquist, 377 F.2d 44, 48 (9th Cir. 1967); DePinto v. Provident Security Life Ins. Co., 374 F.2d 50, 55 (9th Cir. 1967); irrelevant FRE 401-403; and hearsay, FRE 801, 802.

6 Paragraph 5, lines 4-5

Lack of personal knowledge, speculation, and lack of foundation, FRE 602 and Taylor v. List (9th Cir. 1989) 880 F.2d 1040, 1045; improper factual conclusions and opinion testimony. FRE 701; see Turner v. Lundquist, 377 F.2d 44, 48 (9th Cir. 1967); DePinto v. Provident Security Life Ins. Co., 374 F.2d 50, 55 (9th Cir. 1967); and hearsay, FRE 801, 802.

10 Paragraph 6, lines 6-22

Lack of personal knowledge, speculation, and lack of foundation, FRE 602 and Taylor v. List (9th Cir. 1989) 880 F.2d 1040, 1045; improper factual conclusions and opinion testimony. FRE 701; see Turner v. Lundquist, 377 F.2d 44, 48 (9th Cir. 1967); DePinto v. Provident Security Life Ins. Co., 374 F.2d 50, 55 (9th Cir. 1967); and hearsay, FRE 801, 802.

15 Paragraph 7, page 3, line 23 -page 4, line 2

Lack of personal knowledge, speculation, and lack of foundation, FRE 602 and Taylor v. List (9th Cir. 1989) 880 F.2d 1040, 1045; improper factual conclusions and opinion testimony. FRE 701; see Turner v. Lundquist, 377 F.2d 44, 48 (9th Cir. 1967); DePinto v. Provident Security Life Ins. Co., 374 F.2d 50, 55 (9th Cir. 1967); and hearsay, FRE 801, 802.

19 Paragraph 8, lines 3-12

Lack of personal knowledge, speculation, and lack of foundation, FRE 602 and Taylor v. List (9th Cir. 1989) 880 F.2d 1040, 1045; improper factual conclusions and opinion testimony. FRE 701; see Turner v. Lundquist, 377 F.2d 44, 48 (9th Cir. 1967); DePinto v. Provident Security Life Ins. Co., 374 F.2d 50, 55 (9th Cir. 1967); and hearsay, FRE 801, 802.

24 Paragraph 9, lines 13-18

Lack of personal knowledge, speculation, and lack of foundation, FRE 602 and Taylor v. List (9th Cir. 1989) 880 F.2d 1040, 1045; improper factual conclusions and opinion testimony. FRE 701; see Turner v. Lundquist, 377 F.2d 44, 48 (9th Cir. 1967); DePinto v. Provident Security Life Ins. Co., 374 F.2d 50, 55 (9th Cir. 1967); and hearsay, FRE 801, 802.

Paragraph 10, page 4, line 19-page 5, line 4

Lack of personal knowledge, speculation, and lack of foundation, FRE 602 and Taylor v. List (9th Cir. 1989) 880 F.2d 1040, 1045; improper factual conclusions and opinion testimony. FRE 701; see Turner v. Lundquist, 377 F.2d 44, 48 (9th Cir. 1967); DePinto v. Provident Security Life Ins. Co., 374 F.2d 50, 55 (9th Cir. 1967); and hearsay, FRE 801, 802.

Paragraph 11, lines 6-12

Lack of personal knowledge, speculation, and lack of foundation, FRE 602 and Taylor v. List (9th Cir. 1989) 880 F.2d 1040, 1045; improper factual conclusions and opinion testimony. FRE 701; see Turner v. Lundquist, 377 F.2d 44, 48 (9th Cir. 1967); DePinto v. Provident Security Life Ins. Co., 374 F.2d 50, 55 (9th Cir. 1967); and hearsay, FRE 801, 802.

Paragraph 12, lines 14-22

Lack of personal knowledge, speculation, and lack of foundation, FRE 602 and Taylor v. List (9th Cir. 1989) 880 F.2d 1040, 1045; improper factual conclusions and opinion testimony. FRE 701; see Turner v. Lundquist, 377 F.2d 44, 48 (9th Cir. 1967); DePinto v. Provident Security Life Ins. Co., 374 F.2d 50, 55 (9th Cir. 1967); and hearsay, FRE 801, 802.

Paragraph 14, lines 1-5

improper factual conclusions and opinion testimony. FRE 701; see Turner v. Lundquist, 377 F.2d 44, 48 (9th Cir. 1967); DePinto v. Provident Security Life Ins. Co., 374 F.2d 50, 55 (9th Cir. 1967); hearsay, FRE 801, 802, and irrelevant FRE 401-403.

Paragraph 15, lines 10-11

Lack of personal knowledge, speculation, and lack of foundation, FRE 602 and Taylor v. List (9th Cir. 1989) 880 F.2d 1040, 1045; improper factual conclusions and opinion testimony. FRE 701; see Turner v. Lundquist, 377 F.2d 44, 48 (9th Cir. 1967); DePinto v. Provident Security Life Ins. Co., 374 F.2d 50, 55 (9th Cir. 1967); irrelevant FRE 401-403; and hearsay, FRE 801, 802.

Paragraph 16, lines 12-17

Lack of personal knowledge, speculation, and lack of foundation, FRE 602 and Taylor v. List (9th Cir. 1989) 880 F.2d 1040, 1045; improper factual conclusions and opinion testimony. FRE 701; see Turner v. Lundquist, 377 F.2d 44, 48 (9th Cir. 1967); DePinto v. Provident Security Life Ins. Co., 374 F.2d 50, 55 (9th Cir. 1967).

1	Paragraph 17, lines 18-24	Lack of personal knowledge, speculation, and lack of foundation, FRE 602 and Taylor v. List (9 th Cir. 1989) 880 F.2d 1040, 1045; improper factual conclusions and opinion testimony. FRE 701; see Turner v. Lundquist, 377 F.2d 44, 48 (9th Cir. 1967); DePinto v. Provident Security Life Ins. Co., 374 F.2d 50, 55 (9th Cir. 1967).
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5	Paragraph 18, page 6, line 25-page 7, line 7	Lack of personal knowledge, speculation, and lack of foundation, FRE 602 and Taylor v. List (9 th Cir. 1989) 880 F.2d 1040, 1045; improper factual conclusions and opinion testimony. FRE 701; see Turner v. Lundquist, 377 F.2d 44, 48 (9th Cir. 1967); DePinto v. Provident Security Life Ins. Co., 374 F.2d 50, 55 (9th Cir. 1967).
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9	Paragraph 19, lines 8-25	Lack of personal knowledge, speculation, and lack of foundation, FRE 602 and Taylor v. List (9 th Cir. 1989) 880 F.2d 1040, 1045; improper factual conclusions and opinion testimony. FRE 701; see Turner v. Lundquist, 377 F.2d 44, 48 (9th Cir. 1967); DePinto v. Provident Security Life Ins. Co., 374 F.2d 50, 55 (9th Cir. 1967).
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13	Paragraph 20, page 7, line 26-page 8, line 2	Knowingly false (18 U.S.C. 1623). Lack of personal knowledge, speculation, and lack of foundation, FRE 602 and Taylor v. List (9 th Cir. 1989) 880 F.2d 1040, 1045; improper factual conclusions and opinion testimony. FRE 701; see Turner v. Lundquist, 377 F.2d 44, 48 (9th Cir. 1967); DePinto v. Provident Security Life Ins. Co., 374 F.2d 50, 55 (9th Cir. 1967).
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17	Paragraph 20, page 8, lines 3-6	Lack of personal knowledge, speculation, and lack of foundation, FRE 602 and Taylor v. List (9 th Cir. 1989) 880 F.2d 1040, 1045; improper factual conclusions and opinion testimony. FRE 701; see Turner v. Lundquist, 377 F.2d 44, 48 (9th Cir. 1967); DePinto v. Provident Security Life Ins. Co., 374 F.2d 50, 55 (9th Cir. 1967).
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21	Paragraph 21, lines 8-10	Lack of personal knowledge, speculation, and lack of foundation, FRE 602 and Taylor v. List (9 th Cir. 1989) 880 F.2d 1040, 1045; improper factual conclusions and opinion testimony. FRE 701; see Turner v. Lundquist, 377 F.2d 44, 48 (9th Cir. 1967); DePinto v. Provident Security Life Ins. Co., 374 F.2d 50, 55 (9th Cir. 1967).
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25	Entire Declaration	Invalid declaration pursuant to FRE 603 and 28 U.S.C. 1746.
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1 Dated: December 13, 2013

Campeau Goodsell Smith
2 /s/ William J. Healy
3 William J. Healy
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